

MINUTES

December 12, 2006

The State Board of Registration for Professional Engineers and Land Surveyors met on December 12, 2006, in Conference Room 102 at the office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

BOARD MEMBERS PRESENT:

E. Charles Vickery, PE - Chairman
Doris I. Willmer, PE, Vice-Chairperson
James W. Butler, LS
Mark E. Chastain, LS
William W. Dean, PE
Stephen R. Richards, PE
Elmo A. Richardson, Jr., PE/LS
Guy F. Ritter, PE
E. Scott Evans, Public Member

BOARD MEMBERS ABSENT:

None

STAFF PRESENT:

J. Darren Mickler – Board Executive Director
Julie Busbee – Application Specialist/Board Secretary
Vivian Stephens – Application Specialist
Sharon Harrison – Investigative Assistant

ATTORNEY GENERAL REPRESENTATIVE:

Not present

GUESTS PRESENT:

Hardwick Butler, representing Surveying and Mapping Society of Georgia (SAMSOG) and
Middle Georgia College
Robert Armstrong, LS, representing SAMSOG
Steve Skalko, representing Georgia Society of Professional Engineers (GSPE)

Call to order:

At 9:37 am, Chairman Vickery called the meeting to order and asked for any additions or deletions to the proposed agenda. Mr. Richardson moved to adopt the agenda as presented. Mr. Ritter seconded. Motion carried.

Approval of Minutes:

Chairman Vickery presented a draft of the November 14, 2006 minutes and asked for any additions or deletions. Mr. Dean moved to adopt the minutes as written. Mr. Richardson seconded. Motion carried.

Professional Societies and Guests:

Mr. Vickery recognized the guests present: Hardwick Butler, representing Surveying and Mapping Society of Georgia (SAMSOG) and Middle Georgia College; Robert Armstrong, LS, representing SAMSOG; Steve Skalko, representing Georgia Society of Professional Engineers (GSPE).

Executive Director's Report:

Mr. Mickler reported that the grades for Land Surveyor and Land Surveyor-In-Training have been received, pass/fail letters have been mailed out and the applicants who passed have been certified/licensed. The staff is expecting grades from the EIT and PE exams to be received by the end of the month.

Old Business:

Task Force Reports:

Ms. Willmer reported that the Coalition plans on meeting with Karen Handel, Secretary of State-elect to discuss the efforts to date regarding the needs of the PELS Board. Ms. Willmer is updating the spreadsheet included with the recommendations made by the Task Force in 2004 and will forward them to her prior to the meeting.

LS Minimum Technical Standards:

Mr. Chastain reported that there has been review and discussion between himself and Mr. James Butler, but there has been no final decision made at this time. They will continue dialogue with each other and Mr. Armstrong and Mr. Sears of SAMSOG, and finalize the draft of Board Rule 180-7 regarding Minimum Technical Standards for Land Surveyors. Mr. Chastain agreed that they should be able to present a draft by the next scheduled Board meeting on January 23, 2007.

Continuing Professional Competency:

Mr. Dean proposed a draft of changes to Board Rule 180-11-.04 and .05 as follows:

180-11-.04 Units.

The conversion of other units of credit to Professional Development Hours is as follows:

- (1) One (1) college or unit semester hour: 45 PDH
- (2) One (1) college or unit quarter hour: 30 PDH

- (3) One (1) Continuing Education Unit: 10 PDH
- (4) One (1) Hour of professional development in coursework, seminars, or professional or technical presentations made at meetings, conventions, conferences, or examination preparation.
- (5) For teaching of professional development coursework as in 180-11-.04, apply a multiple of two (2). Teaching credit valid for teaching a course or seminar for the first time only. Teaching does not apply to full-time faculty.
- (6) Authorizing published papers, articles, or books in any area relevant to the land surveyor's or professional engineer's practice: 10 PDH
- (7) Active participation in professional and technical society ~~(for professional engineers only)~~: 2 PDH
- (8) Each patent in any area relevant to the land surveyor's or professional engineer's practice: 10 PDH

Authority O.C.G.A. Sec. 43-15-6. **History.** Original Rule entitled "Units" adopted. F. July 8, 1996; eff. July 28, 1996. **Repealed:** New Rule of same title adopted. F. Feb. 3, 1999; eff. Feb. 23, 1999. **Repealed:** New Rule of same title adopted. F. Nov. 26, 2001; eff. Dec. 16, 2001.

180-11-.05 Determination of Credits.

The Board has the final authority regarding:

- (a) Approval of courses, classes, seminars, meetings, and all other methods of satisfying the requirements of this Chapter; and
- (b) The number of PDH's allocated to each course, class, seminar, meeting, and any other method of satisfying the requirements of this Chapter.
- (c) Credit for active participation in professional and technical societies, requires that a registrant serve as an officer and/or actively participate in a committee of the organization. PDH credits are not earned until the end of each year of service is completed and a full year of service is equal to 2 PDH units. Registrants are limited to 2 PDH per organization per year.

Authority O.C.G.A. Sec. 43-15-6(b). **History.** Original Rule entitled "Determination of Credits" adopted. F. Jul. 8, 1996; eff. Jul. 28, 1996.

Following general discussion, Mr. Chastain moved to post as presented with addition of language to the end of 180-11-.04 (7), adding "(see 180-11-.05(c))." Mr. Butler seconded. Ms. Willmer moved to amend paragraph 180-11-.05 (c) to strike "participate in" and add "as chairperson of." Mr. Ritter seconded. Motion carried with Mr. Chastain, Mr. Butler, Mr. Dean and Mr. Richards opposed to the amendment. Motion passed as amended with Mr. Chastain and Mr. Richards opposed.

Mr. Dean moved that the formulation and adoption of Board Rule 180-11-.04 and .05 does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-15-4(a) (Adoption of rules and regulations), O.C.G.A. § 43-15-6(a) (General Powers of the Board), O.C.G.A. § 43-15-8 (Engineer-in-training certificate; eligibility), O.C.G.A. § 43-15-9 (Professional engineer certificate of registration; eligibility), O.C.G.A. § 43-15-10 (Evaluation of engineering experience), O.C.G.A. § 43-15-11 (Professional Engineers exam), and O.C.G.A. § 43-15-15 (Applications for certificates) to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every

licensee in the same manner and each licensee is independently licensed in the fields of engineering and land surveying. Mr. Ritter seconded. Motion carried.

Proposed Continuing Education Exemption Policy:

Ms. Willmer led discussion regarding the Continuing Education waiver clause in O.C.G.A. 43-15-6(b) that allows individuals over the age of 65 who are engaged in the active practice of their profession who have had a valid active license for the previous 25 consecutive years. Ms. Willmer moved to adopt Board policy 06-03 as follows:

As it reads, "O.C.G.A. 43-15-6(b), the board shall waive the continuing education requirement...for individuals over the age of 65 who are engaged in the active practice of their profession who have had a valid active license for the previous 25 consecutive years" shall apply only to registrants who demonstrate 25 consecutive years of valid active licensure in Georgia. No exceptions.

Mr. Ritter seconded. Motion carried.

New Business:

Request for Late Renewal Fee Waiver:

Mr. Mickler presented letters from Charles D. Peters, President of Peters Municipal Associates, Inc. and Ben McLeroy, LS/PE, President of Ben McLeroy & Associates, Inc., requesting a waiver of the late renewal fee for the 2005-2006 renewal cycle for firm registration. Mr. Ritter moved to deny the requests for waiver. Mr. Richardson seconded. Motion carried.

NCEES Position on Foreign Degrees:

Mr. Mickler reported that in February 2007, the Board President's Assembly will meet to discuss issues that will be presented at the annual NCEES conference in August 2007. One issue discussed will be NCEES position on foreign degrees. Following general discussion, the Board agreed that current policies and rules are the stance Georgia will take on this issue.

Election of 2007 Board Officers:

Mr. Vickery asked for nominations for 2007 Board officers. Mr. Richardson moved to nominate Doris Willmer as the Board Chairman. Mr. Ritter seconded. Motion carried. Mr. Ritter moved to nominate Elmo Richardson as the Vice-Chair. Mr. Chastain seconded. Motion carried. Both Mr. Ritter and Mr. Chastain will continue to serve as Cognizant Board Members for their respective professions.

Mr. Ritter moved to grant NCEES emeritus membership to former Board members, Richard Little and John Sweitzer. Mr. Richardson seconded. Motion carried.

Executive Session:

At 10:50 am, Mr. Richardson moved for the Board to enter into Executive Session to deliberate on applications and enforcement matters and to receive information on complaints and investigative reports. Mr. Ritter seconded. Motion carried.

The following Board members were present during Executive Session – Chairman Vickery, Mr. Dean, Mr. Evans, Mr. Butler, Mr. Chastain, Mr. Richards, Mr. Richardson, and Mr. Ritter. Ms. Willmer was not present for the opening portion of the Session.

Reconvened Open Session at 1:15 pm with the following Board members present - Chairman Vickery, Ms. Willmer, Mr. Dean, Mr. Evans, Mr. Butler, Mr. Chastain, Mr. Richards, Mr. Richardson, and Mr. Ritter.

Investigations and Complaints:

Ms. Willmer moved to accept a signed Voluntary Surrender from Samuel Houston Thompson, LS001961. Mr. Ritter seconded. Motion carried.

PELS070021 – This case involved a professional engineer with allegations of conflict of interest. Mr. Ritter moved to close the case with no violations. Mr. Richardson seconded. Motion carried.

PELS070020 – This case involved a professional engineer with allegations of negligence and substandard practice and two sets of plans sealed and signed by two different people. Mr. Chastain moved to issue a Consent Order with a Public Reprimand and \$1000 penalty. Mr. Richardson seconded. Motion carried.

PELS060025 – This case involved a boundary dispute between two property owners and a Land Surveyor. Mr. Richardson moved to close the case as a civil matter. Mr. Chastain seconded. Motion carried.

PELS050060 – This case involved a boundary dispute between two property owners and a Land Surveyor. Mr. Richardson moved to close the case as a civil matter. Ms. Willmer seconded. Motion carried.

Mr. Ritter moved to accept a signed Consent Order and \$500 penalty from Brian Besson, PE005700. Mr. Richardson seconded. Motion carried.

Mr. Chastain moved to accept a signed Consent Order and \$1000 penalty from Merhdad Mesbahi, PE017707. Mr. Richardson seconded. Motion carried.

Mr. Ritter moved to release Douglas Dowdy, PE026489 from probation status and return his license to active status. Mr. Richardson seconded. Motion carried.

Board Memo Comity Model Law Applicants:

Applicants for registration as Professional Engineers by comity, who have an ABET engineering degree, who have taken and passed an 8-hour fundamentals of engineering (EIT/FE) exam, who have a minimum of 48 months post graduation engineering experience as determined by a staff evaluation using the present Board guidelines, who have taken and passed an 8-hour principles and practice of engineering exam (PE Exam-taken at least 4 years after BS degree), and who comply in every way with the provisions of the appropriate law are as follows:

31598 Boltz, H Edward	31599 Gage, Robert B.	31600 Kornacki, David B.
31601 Roberts, Laura B.	31602 Roeser, Stephen J.	31603 Saner, Gunduz M.
31613 Beasley, Robert B.	31614 Dickson, Steven L.	31615 Hennis, Dana M.
31616 Kung, Thomas C.	31617 Lackey, Charles B.	31618 Lowder, David E.
31619 McFarren, David E.	31620 Quast, Jeffrey M.	31621 Anderson, Stephen E.
31622 Camacho, Juan P.	31623 Green, Carmen A.	31624 Kingsley, Gregory R.
31625 Powell, M Todd	31626 Stricklin, Cynthia J.	31627 Nickoli, James E.
31628 Rice, Jon D.	31629 Ross, Chris M.	31630 Mikolajewski, F. Thomas
31631 Cochran, Shane S.	31632 Gines, Marlin D.	31633 Sherman, Kevin M.
31634 Huff, Tab A.	31635 Meredith, Gregory D.	31636 Pate, Raymond G.
31638 House, Robert S.	31639 Jacoway, James B.	31640 Nitschke, Brent R.
31641 Severance, Robert W.	31642 Zmich, Kurt A.	31643 Marshall, Brian D.
31644 Pinkley, William A.	31645 Riesland, David R.	31646 Smidt, Timothy J.
31647 Casperson, Cory C.	31648 Schober, Lawrence M.	31649 Montgomery, Billy A.
31650 Nance, William T.	31651 Pashaian, Gary	31652 Waggner, Nathan R.
31653 Wilhite, David W.		

Motion was made by Ms. Willmer to approve these applicants for PE registration by comity @ 43-15-16(a), via 43-15-8(1) and 43-15-9(1). The motion was seconded by Mr. Richardson. The motion carried.

Regular Applicants for Certification as an Engineer-In-Training by Exam:

Applicants for certification as an Engineers-in-Training by examination whose degrees were earned in engineering or engineering technology programs which attained ABET/CAB accreditation within two years of their having received their degrees, who have filed with the Board five acceptable references, who have had no convictions for moral turpitude or substantive reasons, and who comply in every way with the provisions of the appropriate law(s), are as follows:

Aaltland, Hunter Dunn	Atinyo, Christian	Brown, Adam Staunton
Cannon, Jeremy Dean	Clements, Michael Allen	Davis, Jeffrey Joseph
Dorton, Brian Wade	Fraker, Michael James	Gavriliuc, Lucian
Hamilton, Mignon Breaux	Harris, Dexter Dewayne	Hendley, Jason Alan
Herdic, Scott Lucas	Humes, Stacy D.	Hutchins, James Casey
Kaszoniy, Stephen John	Kilmer, Matthew Jason	Kumar, Puneeth
Lee, Timothy Sungsoo	Mashayekh, Narges Orougi	McKinnon, Jared Keith

McMakin, Bonnie D. (Dupree)
Simpson, Robert Paul
Walker, Travis Puckett
Wilkinson, Hugh Oswald

Mitchell, Alysia Renee
Sorrell Jr., Eddie Wayne
Welch, Ned R.
Zettler, Steve Clifton

Muchnick, Hannan Lee Wynn
Sorrentino, Robert Charles
White, Katrina Arrivette (Ellis)

Motion was made by Mr. Chastain to approve these applicants for EIT certification @ 43-15-8(1) or 43-15-8(2). The motion was seconded by Mr. Richardson. The motion carried.

Senior Applicants for certification as an Engineers-in-Training by examination

Applicants for certification as an Engineers-in-Training by examination who are currently enrolled as seniors in ABET approved programs in schools, colleges or universities in Georgia, who have filed with the Board five acceptable references, who have had no convictions for moral turpitude or other substantive reasons, and in every way comply with the provisions of the appropriate law(s) are as follows:

SAVANNAH STATE UNIVERSITY

Folaji, Magnus Bamidele

Whitehead, April Michelle

UNIVERSITY OF GEORGIA

Stafford, John William

Thomas, Jon Michael

Motion was made by Ms. Willmer to approve these applicants for EIT certification @ 43-15-8(1) or 43-15-8(2). The motion was seconded by Mr. Richardson. The motion carried.

Reinstatements:

Mr. Ritter moved to reinstate Paul E. Butt, PE019185. Ms. Willmer seconded. Motion carried.

Mr. Dean moved to reinstate Michael Maloney, PE021274. Mr. Ritter seconded. Motion carried.

Mr. Chastain moved to reinstate Brian Marie, LS002556. Mr. Richardson seconded. Motion carried.

Ms. Willmer moved to reinstate Ulysses Grady, PE. Mr. Richardson seconded. Motion carried.

Mr. Richardson moved to stand by a previous decision regarding the reinstatement application of S.S. and send him a letter of concern to caution him to not use the designation of "P.E." behind his name. Mr. Ritter seconded. Motion carried, with Ms. Willmer recusing herself from the vote.

2007 Board Meeting Calendar:

Mr. Mickler presented the following proposed calendar for 2007 Board Meeting dates:

January 23rd - Tuesday

February 27th – Tuesday - Application work session

April 10th - Tuesday

May 8th - Tuesday

June 12th - Tuesday

August 14th - Tuesday

August 28th – Tuesday - Application work session

October 9th - Tuesday

November 13th - Tuesday

Mr. Ritter moved to accept the calendar with the option to keep August 28 only if there are applications to be reviewed. Mr. Chastain seconded. Motion carried.

Ms. Willmer recognized Mr. Vickery's service as Board Chairman for the past two years. The rest of the Board and staff wholeheartedly agreed.

There being no further business, at 1:37 pm, Mr. Ritter moved to adjourn. Ms. Willmer seconded. Motion carried. Some Board members remained to review applications until they were finished.

Board Chairman

Executive Director

12Dec06.doc

These minutes were approved at the January 23, 2007 meeting.